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May 18, 2023

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Chen:

This office represents the Plaintiff IME WatchDog, Inc. ("Plaintiff") in the above-referenced case. Plaintiff writes to request an extension of time of one (1) week to file its supplemental or post-hearing brief in further support of its Order to show cause for contempt.

Relevant Procedural History

On May 4, 2023, this Court held a show-cause hearing on Plaintiff's motion for contempt. There, the Court set a schedule for supplemental briefing as follows: (i) May 19, 2023 for Plaintiff's papers in support; and (ii) June 2, 2023 for Defendants' papers in opposition.

Today at approximately 10:15 AM, your undersigned sought Defendants' consent for a one (1) week extension of time. Defendants consent to the request so long as a reciprocal extension of time is granted.

Good Cause Exists to Grant an Extension of Time to File a Reply Letter in Further Support

Consistent with ¶ 1(G) of this Court's Individual Practices and Rules, Plaintiff respectfully submits that: (i) the current deadline to file supplemental papers is tomorrow, May 19, 2023; (ii-iii) there have been no previous requests for an extension of time concerning this deadline; (iv) Defendants consent; and (v) the requested extension does not affect any other scheduled Court appearance or deadline to Plaintiff's knowledge.

The reason for the request is that Plaintiff needs additional time to prepare to submit briefing because the parties only received the hearing transcript yesterday and due to deadlines and appearances in other matters which prevented Plaintiff from seeking an extension of time earlier, including an application in the Middle District of Florida to enjoin the sale of Defendants' property in Florida.

In addition, and among other matters, your undersigned is currently engaged in preparation for a trial scheduled to commence on June 5, 2023 before the Hon. Lorna G. Schofield, U.S.D.J., and other motions and deadlines during the week, which impeded on your undersigned's ability to earlier complete the supplemental brief or prepare the instant application.

Accordingly, good cause and excusable neglect exist to warrant an extension of time of this deadline from Friday, May 19, 2023 to Friday, May 26, 2023 notwithstanding this Court's requirement to request any extension of a filing deadline at least two (2) working days prior to the filing deadline. See Fed. R. Civ. P. 6(b)(1)(B); see also ¶ 1(G) of this Court's Individual Practices and Rules. Plaintiff thanks this Court for its time, attention, and anticipated courtesies in this case.

Dated: Lake Success, New York

May 18, 2023

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

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